

The regular meeting of the Town Assembly of the Village of Arden was convened at 7:40 PM on March 27, 1989, Chairman William Press presiding.

In attendance were:

Rae F. Gerstine	Betty Knott	Cecilia Vore
Bill Press	Steven Threefoot	Eugene Shaw
Pat Press	Skip Salkeld	Carl Falco
Peter A. Renzetti	Ruth Bean	Thomas E. Colgan
Maryellen S. Jobson	Lou Bean	Marianne B. Cinaglia
Jean K. Brachman	Allan Kleban	Elizabeth Varley Walker
Beatrice Jaffe	Larry Walker	Don Holcomb
William Bailey	Kate Threefoot	Maria Burslem
Sally Thurston	John Grimaldi	Connee Wright McKinney
Gail Rinehart	Paul Thompson	Jannie Stearns
June Kleban	Frank Akutowicz	Lanier Colgan
Ed Rohrbach	Carolyn Liberman	Mary Brent Whipple
Susan Rohrbach	Anne Berlin	Naomi Clark
Rowena Austin	Cy Liberman	Dane Miller
Helen Macklem	John Dossett	Leon Tanzer
Sally Hamburger	Clara Dossett	Lew Aumack
Shaul Gladstone	Jim Semenick	Peggy Aumack
Woodrow Vandever	Joan W. Colgan	

Communications

Mr. Press apologized to the Assembly for the lack of a sound system tonight.

A letter from the Department of Natural Resources will be read under Old Business.

The election will be held at the time of the Registration Committee report. The committee will count the ballots on Tuesday, March 28 at 10 AM in the Lower Gild Hall. All are welcome to attend.

STANDING COMMITTEE REPORTS

TRUSTEES - Shaul Gladstone

The Advisory Committee passed a resolution at its March 6th meeting that all committees henceforth report their over or under expenditures against budget to the March Advisory Committee meeting.

For this particular year, all committees were requested to advise the Trustees of the surplus or deficit as soon as possible so that an accurate estimate of reserves could be made for the Board of Assessors. The Trustees would appreciate prompt receipt of all estimates still outstanding.

CIVIC - Eugene Shaw

We have taken under consideration a suggestion that we use reflective paint to make the letters of street signs more visible at night.

Do not forget that the new garbage collection at the curb starts tomorrow.

Special pick-up is scheduled for April 29.

ASSESSORS - Cy Liberman

The Assessors have held two public hearings. A third hearing is scheduled for June 1 at 8 PM at the Village Center. The Board will present its report at the next town meeting on June 26.



#### BUZZ WARE VILLAGE CENTER - Cy Liberman

The hand-carved sign at the Village Center fell down because of rot at the bottom of the post. We plan to repair the sign and erect it again.

An air-conditioner for room #4 has been purchased and will be installed before summer.

We have received no news from the Wilmington Montessori Association on their plans for future use of the building, which means they are going to continue to use it for another two years at least. Our cooperation agreement with the Association will automatically be extended until July 1, 1996 unless the Association or Arden give notice of termination of the agreement by July 1 of this year.

#### COMMUNITY PLANNING - Sally Thurston

On March 14th, members of our committee attended a New Castle County Planning Committee meeting about rezoning the Hatzis property which is at Marsh and Naamans Roads. It is the property where a flower and produce stand is usually located in the spring and summer. Mr. Hatzis wishes to have current office zoning changed to commercial zoning, which would allow him to build a 79,000 sq. ft. shopping center and 432 parking places. The county planning committee seemed to be in approval of his plan despite assertive vocal disagreement from neighboring subdivisions. Ed Rohrbach presented this committee's position. The county planning committee has made recommendations in other cases that were voted down by County Council after much public outcry. We must now object loudly and strenuously by writing or phoning Dick Cecil at his office. The basis for our objection is the traffic impact, the sewer problem already existing in the area, and the run-off which will further degrade our stream with great immediate quantities of muddy water after a storm, and trash.

There will be seminars on County government workings at the Brandywine High School auditorium on Thursday nights over the next few months. The series is titled "How to be a suburban Guerilla" and seems to be just the civics lesson we need in order to deal with current zoning issues.

The woods clean-up will be held on Saturday, April 22nd from 9 AM to 12 noon. We will meet at Marsh and Millers Road and clean our way downstream. Useful things to bring are: plastic garbage bags, waders if you have them (although not all of us go into the water), gloves and barbecue tongs for extricating trash. The collected debris will be left at the end of Cherry Lane and St. Martins Lane for special trash pick-up the following Saturday. Refreshments will be served at Cookie Kelly's house after we leave the woods. Contact Cecilia Vore or Sally Thurston for further information. Gail Rinehart will lead a group to clean the Sherwood woods at the same time.

#### Discussion:

Arden must continue to attend County Planning Committee meetings. Planning is haphazard and requires constant vigilance. For instance, the council had no map of the proposed development at the March 14th meeting.

The Planning Committee recommends action to County Council. Before the council can act on any recommendation they must have a market study of the area, reports on the sewer and traffic impact and the history of the area.



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Arden should oppose rezoning this area from 01. This zoning will still allow for office development. A 79,000 sq. ft. shopping center in this area would have a heavy traffic impact. Nothing should be done until the Naamans Creek sewer problem is solved. Contact Dennis Greenhouse' complaints office and Phil Cloutier, Chairman of County Council.

The schedule of informational meetings, "How To Be A Suburban Guerilla", was distributed.

Final reading of proposed amendment to Ordinance #4 (Use of Commons), sections 3 & 8

Section #3: Littering of any kind in the woods, streams or commons is prohibited. "Litter" includes, but is not limited to cans, paper, building material, etc., and shall also include organic material, such as piles of leaves, hedge clippings and Christmas trees.

Section #8: Any party who violates this ordinance and or refuses to remove litter or repair damage in a timely manner shall be subject to a fine of \$50 or the cost of the clean-up.

Discussion:

How will we enforce this ordinance? The ordinance should be handled like the no-parking ordinance, through a series of escalating steps. A complaint to the Civic Committee results in a series of letters and discussions. No action will be taken unless a complaint is registered.

This change should be publicized in the Arden Page.

Motion to approve this ordinance amendment carried unanimously .

SAFETY - Tim Colgan. No Report.

PLAYGROUND - Larry Walker

Since the last meeting, the required playground equipment inspection was made. All of the equipment is in safe condition and in good repair. When defects were observed, the necessary repairs were made. Additional root mulch was spread under all equipment to provide a softer surface to protect children when they fall down.

At the request of the Civic Committee, the concrete base for a previously removed piece of playground equipment was removed from the Sherwood Green. Because there was an open section of four-inch steel pipe still exposed, this old equipment base was a hazard. Presently, there is a small mound of dirt left, and after the ground has settled the area will be levelled off and grass seed planted.

Several Arden parents requested a second infant safety swing seat. This has been ordered and will be installed next to the existing infant swing.

Approximately half of the playground equipment was painted last year; the remainder should be finished during the summer.

REGISTRATION - Patricia Press

There are 402 residents eligible to vote at this meeting.

The committee will count the ballots from tonight's election tomorrow morning at 10 AM in the Lower Gild Hall. Everyone is welcome to attend.



Walker and John Dossett. Harold Monfort is the elected alternate.  
There are 404 eligible voters as of this date.

Legislative Reference Committee - Mary Brent Whipple

The committee met with Bill Press re: the problems most likely to occur at Town Meeting needing guidance from Roberts Rules of Order.

The same meeting researched the question of how to proceed when a meeting attendance falls below the quorum number as the hour latens. Roberts states that in that instance, the meeting can take no action, only a vote to adjourn will be accepted.

Safety Committee - Tim Colgan in the absence of Chairman Barnes King

Extra patrol by the New Castle County Police has commenced. The patrol is being financed through the Safety Committee funds. The committee has requested the police to patrol on weekends, preferably afternoon or evening hours. To date, all patrols have been on weekends. We have requested a written report to be submitted with the County Police invoice and the police have complied. To date, they have reported no activity during these special patrols. However, a noticeable decrease in illegal parking on the Green has been noted.

The stop sign on Inn Lane at the intersection of Cherry Lane was repaired.

A "no-parking" sign on Inn Lane between Cherry and Woodland was removed or stolen and was replaced with our more attractive wooden post. At the same location, a "no parking" sign was knocked or pulled from its site. The sign was recovered and re-installed.

Discussion:

Why does Arden have to pay for police patrols? Some communities do it if they feel the regular patrols are not sufficient.

The committee was presented with the New Castle County Emergency Book, a weighty tome. Shaul Gladstone explained that the federal government has identified nineteen possible disasters for Delaware and set up a plan to galvanize appropriate agencies such as police and fire companies. The plan has been tested and it works. It was suggested that it would be useful for residents to know the basic steps to take in case of an emergency such as a violent storm. The guidelines will be published in the Arden Page.

Advisory Committee - Marianne Cinaglia

The agenda for the February 10 retreat was presented. The day will focus on brainstorming in two areas; volunteerism in Arden and Safety Committee duties and goals. The program will open with a historical perspective of Arden given by Mike Curtis and Elizabeth Varley Walker. There will be an open forum in the early afternoon, residents are invited to share their concerns and ideas. Lunch will be provided and we hope all participants will wind up the day at the Gild Hall dinner. Please let Marianne or Sally Hamburger know if you plan to attend.

Nominees for March elections:

ARCHIVES: Jean Brachman, Joan Colgan, Sally Hamburger, Pat Liberman, Ethel Monfort, Sue Rohrbach, Jannie Stearns. One needed.

AUDIT: John Austin, Elizabeth Broadbent, Marianne Cinaglia, Christine Demsey, Lisa Taylor, John Wheeler.

BUDGET: Christine Demsey, Arthur Hurwitz, Larry Walker. One needed.

BUZZ WARE: John Demsey, Ron Enie, Barbara Fenske, Susan Noonan



CIVIC: Lou Bean, Bernie Brachman, Aaron Hamburger, Maryellen Jobson, Jannie Stearns. One needed.

COMMUNITY PLANNING: Don Holcomb, Russell McKinney, Ed Rohrbach, Leon Tanzer.

LEGISLATIVE REFERENCE: Steve Threefoot, Elizabeth Varley Walker. Two needed.

PLAYGROUND: William Busch, Ellen Dolmetsch, James Farrell, Larry Walker.

REGISTRATION: Jean Brachman, Michelle Cherrin, Lanier Colgan, Sally Hamburger, Bea Jaffe, Barbara Fanini, Patricia Press, Deborah Theis.

SAFETY: Peggy Aumack, Tom Colgan, Pete Renzetti. One needed.

TOWN ASSEMBLY CHAIRMAN: Bill Press

ADVISORY COMMITTEE CHAIRMAN: Marianne Cinaglia

ASSEMBLY SECRETARY: Lew Aumack (later withdrew), Irene O'Connor, Patricia Pyle.

ASSEMBLY TREASURER: Rae Gerstine.

#### Assessors - Aaron Hamburger

The blue sheet entitled "How The Town Works" states that the assessors establish the tax rate. This is incorrect, the assessors establish the land rent.

The first public hearing of the Board of Assessors will be held on Wednesday, January 24 at 8 PM at the BWVC. All assessors' meetings are open, but residents are encouraged to attend public hearings to ask questions and voice opinions.

#### OLD BUSINESS

#### Report on the Naamans Interceptor - Bob Wynn

The County is conducting smoke tests to find leaks in the system. They plan to replace the whole sewer from Ashbourne Hills to Dartmouth Woods at a cost of 447 million dollars. Bob and Cy Liberman, our representatives on this committee, have reservations about this proposal.

The County has postponed the plan for an overland pipe line, though they won't admit it is a ridiculous idea.

There will be a public meeting on the issue on February 7 at 7:30 PM at Concord High School. Ardenites are urged to attend.

At a meeting at the Delaware Nature Center on January 16, the idea of an environmental easement received lots of support from residents upstream. Bob feels Arden can take care of its own affairs better than the State can do it.

#### Discussion:

We must oppose the multi-million dollar bond for channel improvement. The State plans to dredge Naamans Creek north of Marsh Rd. Dredging will make the creek flow faster and increase downstream flooding. This is a short-sighted project. There is latent opposition to it even though upstream residents are enthusiastic.

Enlarging the sewer pipe is another idea that seems reasonable on the surface but is not. Overbuilding has created a health crisis. Enlarging the pipe will encourage more growth.

Moved that Arden oppose any channelizing of Naamans Creek. Channelizing north of Marsh Rd. will erode the creek and damage the natural character of our woodlands. We further oppose channelizing of Naamans Creek through Arden.



Motion passed unanimously.

Copies of this motion will be sent to: County Executive Greenhouse, Senator Bair and Representatives Cecil and Smith.

Report from the Brandywine Council of Civic Organizations - Lew Aumack

The Council cast a unanimous vote against the Rock Manor Mall project.

There is no news about the rezoning of the Hatzes property at the intersection of Naamans and Marsh.

The Council reviewed the Concord Mall expansion project. They asked for a barrier between the mall and the neighborhood behind it and disallowed the inclusion of an automotive center.

Mr. Capano presented four proposals for the area north of Silverside Rd. on Concord Pike - none were well received. The Council asked for data on consumer need for another mall; Mr. Capano feels that is not his concern. There is no application for rezoning as yet.

Lew is leading the investigating team for the "Talley project." This is the Talley property on Marsh Rd. between Forwood Manor and the Hamptons. He supports rezoning for town houses since there are such developments on either side of the property and the neighbors are not objecting as long as there is a visual barrier between them and the new development. Lew's team is studying the traffic density, sewer and water problems. These problems can be addressed in the deed restrictions. This proposal is to be presented to County Council on February 2.

Lew opposes rezoning for town houses from Forwood Manor toward Arden.

#### Discussion:

We should oppose all galloping development. There are many variances on Marsh Rd. between Harvey and Naamans. All this development causes traffic congestion and flooding - both of which are already serious problems. The Council should be urged to take a strong stand against further development.

Lew's position was supported by vote of the Town Assembly.

#### Presentation by the Archives Committee

Joan Colgan displayed a poster by her father, Buzz Ware.

Pete Renzetti showed the Assembly the "grandmother's head", a bust of Edmund Hurlong's grandmother sculpted by his father, Marcus Aurelius Renzetti. These are examples of items the committee hopes to include in the Arden Museum.

#### NEW BUSINESS

Moved that the Buzz Ware Village Center Committee investigate the advisability or feasibility of establishing a Buzz Ware Village Center reserve fund in 1990, or some other year, to be used for building maintenance repairs and projects after the WMA lease expires. The reserve fund could be similar to the Civic reserve fund. The committee should make a recommendation to the Town Assembly within six months.

#### Discussion:

Con: The proposal is premature. The real issue is what to do with the building and how to support it when WMA leaves.

WMA is responsible for current repairs. We should not fragmentize the Arden reserve fund which is there for all emergencies.

Pro: Long term building use and support is a separate issue from the current problem of what to do if a crisis arises. The BWVC Committee would like to know the town supports the building financially. There is no harm in a reserve for future support. We need to establish a system for supporting the building so we are not shocked in six years when it is all our own responsibility. It may be possible to get another State grant.

Motion passed.

Unlicensed car removal

Bill Theis objected to the Trustees' method of getting an unlicensed car removed - they notified the County before talking directly to him. This is legally correct but offensive.

Trustee Gail Rinehart explained that the Trustees felt the article in the Arden Page alerting residents about the procedure on unlicensed cars was fair warning. Another resident complained about being contacted directly by the Trustees. Any resident can report an uninspected car to the County. Gail will try the personal contact approach in the future.

Arden mosquito spraying policy.

Bill Press announced that Arden has been informed that under a new law, due to go into effect this March, the State will only spray for mosquitoes if requested by a town, not by an individual. Spraying will only be done after the State determines there is a real need. Does Arden wish to request this service?

Discussion:

Now that most of our standing water problems have been eliminated, the problem is minimal. Wiping out breeding areas is the real solution.

Mosquitoes carry disease. Though spraying can be hazardous because of the chemicals used, mosquitoes may be worse. Banning spraying altogether could be a problem.

The sense of the meeting was against spraying.

Meeting adjourned - 10:25 PM

*Sally Haulwarger*